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RAMON LOPEZ-AGUILAR

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	NO: CR-08-00014-JF
)	
Plaintiff,)	STIPULATION AND (PROPOSED)
)	ORDER FOR CONTINUANCE
vs.)	OF STATUS HEARING
)	
RAMON LOPEZ-AGUILAR,)	
)	
Defendant.)	

Defendant, Ramon Lopez-Aguilar., through counsel Richard P. Pointer and the United States through Jeffrey Schenk hereby stipulate to the continuance of the status hearing from July 23, 2008, at 9:00 a.m., to August 27, 2008, at 9:00 a.m.

The government and defense stipulate that the factors stated above provide a basis for an exclusion of time pursuant to the Speedy Trial Act (18 U.S.C. Section 3161 (h)(8)(B)(iv) in that the ends of justice outweigh the public interest in an earlier trial date.

Respectfully submitted,

Dated: July 22, 2008

/s/
Richard P. Pointer
Attorney for Ramon Lopez-Aguilar

Dated: July 22, 2008

/s/
Jeffrey Schenk
Assistant United States Attorney

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Based on the stipulations of the parties, the court HEREBY ORDERS that the status hearing scheduled for July 23, 2008, at 9:00 am., is continued to August 27, 2008 at 9:00 a.m.

THE COURT FURTHER ORDERS time be excluded under the Speedy Trial Act from July 23, 2008, to August 27, 2008. The court finds, based on the aforementioned reasons, that the ends of justice is served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant the requested continuance would deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. The Court therefore concludes that this exclusion of time should be made under 18 U.S.C. section 3161(h)(8)(A) and (B)(iv).

SO ORDERED.

Dated: July ____, 2008

JEREMY FOGEL
United States Magistrate Judge